



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Luis Antonio RAMOS Montiel

Defendant.

Magistrate Case No.: **'08 MJ 8387**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

That on or about May 07, 2008, within the Southern District of California, defendant Luis Antonio RAMOS Montiel did knowingly and intentionally import approximately 21.70 kilograms (47.74 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Hugo A. Leon

Special Agent  
U.S. Immigration & Customs  
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 8th,  
DAY OF MAY 2008.

Anthony J. Battaglia  
Anthony J. Battaglia  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 V.  
3 Luis Antonio RAMOS Montiel

4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents, and notes  
6 furnished to U. S. Immigration and Customs Enforcement Special Agent Brandon  
7 Wood.

8 On May 07, 2008, at approximately 1520 hours, Luis Antonio RAMOS Montiel  
9 entered the United States at the Calexico, California East Port of Entry (POE). RAMOS  
10 was the driver and sole occupant of a 1972 Volkswagen Bettle with California license  
11 plate number 6CVV292.

12 Customs and Border Protection Officer (CBPO) K. Caldera was manning primary  
13 vehicle lane one (1) when an orange Volkswagen Beetle entered his lane for inspection.  
14 The driver of the vehicle, Luis Antonio RAMOS Montiel, presented a border crossing  
15 card as his entry document. CBPO K. Caldera noted that the driver was a border  
16 crosser and also had a California license plate on the vehicle. CBPO K. Caldera also  
17 noticed that the screws holding the license plate in place were new.

18 CBPO K. Caldera received a negative Custom's declaration from RAMOS.  
19 CBPO K. Caldera asked RAMOS where he was going and RAMOS responded "Nada"  
20 or nothing in Spanish. RAMOS then stuttered that he was going to "Wal-Mart." CBPO  
21 K. Caldera noticed that RAMOS' hands were trembling as he was holding his border  
22 crossing card. CBPO K. Caldera asked RAMOS who the vehicle belonged to, and after  
23 a long pause, RAMOS responded that the vehicle was his aunt's vehicle. CBPO K.  
24 Caldera escorted the vehicle to the vehicle secondary lot for a more intensive  
25 inspection of the vehicle.

26 In the vehicle secondary lot, CBPO R. Montgomery was handed the referral for  
27 the Volkswagen. CBPO R. Montgomery requested that Customs and Border Protection  
28 Canine Officer (CEO) E. Smura utilize his Human-Narcotics Detector Dog (HNDD) on  
29 the vehicle. As CEO E. Smura's HNDD was reviewing the vehicle, CBPO R.

1 Montgomery received a negative Custom's declaration from RAMOS. RAMOS stated  
2 to CBPO R. Montgomery that he was going to "Wal-Mart" in Calexico and that the  
3 vehicle was his mother's vehicle. CBPO R. Montgomery noticed that as RAMOS spoke  
4 to him he was shifting his weight back and forth, and speaking very rapidly. CEO E.  
5 Smura notified CBPO R. Montgomery of his HNDD's positive alert to the vehicle.

6 CBPO R. Montgomery upon further inspection of the vehicle discovered a  
7 compartment behind the back seat of the vehicle. A hole was drilled into the  
8 compartment and a green, leafy substance was extracted that field tested positive for  
9 marijuana, a Schedule I Controlled Substance. Upon further inspection of the vehicle  
10 ten (10) packages were discovered in the compartment behind the back seat. The total  
11 weight of the packages was 21.70 kilograms (47.74 pounds).

12 Special Agent (SA) Brandon Wood placed RAMOS under arrest for violation of  
13 Title 21 United States Code 952 and 960, Importation of a Controlled Substance.  
14 RAMOS was advised of his Constitutional Rights, per Miranda, which he acknowledged  
15 and waived.

16 RAMOS admitted knowledge that a controlled substance was concealed within  
17 the vehicle. RAMOS stated to SA Wood that the smuggling organization was going to  
18 pay him \$800- \$1000 to smuggle the controlled substance into the United States and  
19 drop it off at a local Wal-Mart. RAMOS was processed, booked, and transported to  
20 Imperial County Jail.

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